



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,598	09/26/2000	Yoshito Fujino	JA9-99-165	4995

7590 11/16/2005
Kevin M Mason
Ryan Mason & Lewis LLP
90 Forest Avenue
Locust Valley, NY 11560

EXAMINER

PAULA, CESAR B

ART UNIT	PAPER NUMBER
----------	--------------

2178

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED
NOV 16 2005
Technology Center 2100

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/669,598
Filing Date: September 26, 2000
Appellant(s): FUJINO ET AL.

Kevin M. Mason
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/22/2005 appealing from the Office action mailed 2/17/2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments*

The Appellant's statement of the status of amendments after final rejection contained in the brief is correct. Appellants have proposed to resolve minor informalities in claim 19 upon resolution of this appeal (page 4, lines 1-4).

(5) *Summary of the Invention*

The summary of the invention in the brief is correct.

(6) *Issues*

The Appellant's statement of the issues contained in the brief is correct.

(7) *Grouping of the Claims*

The following groups of claims stand or fall together: (1-25).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

USPat. # 6,292,904, B1, Broomhall et al (9/18/2001, filed on 12/16/1998).

Using Paradox 5 For Windows" Special Edition, Que (1994).

USPat. # 5,848,413, Atlas et al (12/8/98, filed on 1/13/95).

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 20 is rejected under 35 U.S.C. 102(e) as being anticipated by Broomhall et al, hereinafter Broomhall (Pat. # 6,292,904, B1, 9/18/2001, filed on 12/16/1998).

Regarding independent claim 20, Broomhall discloses an internal sponsor giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.4, lines 59-col.5, line 32, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). The sponsor requests the external user's id, and password—*form for delegated application--* by inputting personal information, such as name, telephone number, etc. into a

Art Unit: 2178

form, the external user's data as well —*requester specification data and proxy applicant specification data*--, the database, and database access level—*delegation term condition data that identifies a term for said delegated application*. In this situation, the data input by the sponsor, includes the length of time (expiration data), access level, sponsors, and external user's personal information-- *said form condition data and delegation term condition data are related to application requester specification data and proxy applicant specification data*.

Moreover, Broomhall discloses an internal sponsor giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired by inputting personal information, such as name, telephone number, etc. into a form-- *enabling said first electronic form to be acquired*. The external user accesses the database by entering requested password, and id (col.4, lines 59-col.5, lines 10, 48-67, col.7, lines 45-67, col.8, lines 10-67, fig.3, 5, and 11).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-7, 9-14, and 16-18 remain and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broomhall, in view of "Using Paradox 5 For Windows" Special Edition, hereinafter Paradox, Que, 1994, pp. 133-139, and 526-529.

Regarding independent claim 1, Broomhall discloses an internal sponsor giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.4, lines 59-col.5, line 32, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). The sponsor requests the external user's id, and password—*form of requesting a delegated application--* by inputting personal information, such as name, telephone number, etc. into a form, the external user's data as well —*requester specification data and proxy applicant specification data--*, the database, and database access level—*term of requesting said delegated application beforehand--*.

Moreover, Broomhall discloses an internal sponsor giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired by inputting personal information, such as name, telephone number, etc. into a form. The external user accesses the database by entering requested password, and id (col.4, lines 59-col.5, lines 10, 48-67, col.7, lines 45-67, col.8, lines 10-67, fig.3, 5, and 11).

Additionally, Broomhall fails to explicitly disclose: *inspecting whether or not the current data adapts to said delegation term condition data*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have the user enter an expiration date associated with the sponsored external user, because Broomhall teaches the changing and resetting of an expired password (col.8, lines 34-67), which would provide the benefit of allowing external users secure access to a database or application have enabled the user to input the user id and password into a form, thus providing the benefit of securely accessing the database/ application only by those authorized to do so for a specified period of time.

Art Unit: 2178

Moreover, Broomhall discloses presenting a prompt to an external user for inputting the id, and password. If the user's id and password match those found in a in an access control list, then the user is granted access to the database or application (col.5, lines 49-67, and col.8, lines 47-67, fig. 5, 7). In other words if the id and password assigned by the sponsor to the external user match—*adapts to coincide with said form condition data of requesting a form*, where an ID, and password are needed to access the system -- those found in the control list, then based on this inspection or checking, the user is granted access to the system.

Furthermore, Broomhall fails to explicitly disclose: *accessing a first electronic form by said proxy applicant; enabling said first electronic form to be acquired if results of said inspections are acceptable*. However, Paradox teaches allowing the definition of auxiliary passwords, which allow secondary users to have different levels of control for entering data, such as inserting and deleting information, data entry, read only, etc. in tables—*forms* (pages 137-138, page 527, lines 11-page 528, line 16). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Broomhall, and Paradox to acquire said form, because this would provide the benefit of securely accessing the database application only by those authorized personnel, thereby, ensuring the integrity of the tables or forms stored in the system.

Claims 2-3 are directed towards a method equivalent to the steps found in claims 1, and therefore are similarly rejected.

Regarding claim 5, which depends any of claims 1-3, Broomhall discloses an internal sponsor using an administrative engine for giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.3, lines 31-67, col.4, lines 59-col.5, lines 32, 42-67, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). Broomhall fails to explicitly disclose: *displaying a list of available forms*. However, Paradox teaches opening a table—*form*-- from a list on a dialog box (page 135, line 1-10, fig.6.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Broomhall, and Paradox to acquire said form from a list, because this would provide the benefit of easily, and efficiently accessing the forms from a single interface.

Regarding claim 6, which depends on claim 5, Broomhall discloses an internal sponsor using an administrative engine for giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.3, lines 31-67, col.4, lines 59-col.5, lines 32, 42-67, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). Broomhall fails to explicitly disclose: *said list of available electronic forms is decided according to an organization to which said application requester belongs*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have displayed the list according to an organization, because this would provide the benefit of securely accessing the corporate organization servers only by those authorized personnel, thereby, ensuring the integrity of sensitive information, such as the tables or forms stored in the system.

Art Unit: 2178

Regarding claim 7, which depends on claim 5, Broomhall discloses an internal sponsor using an administrative engine for giving external users access to an internal database and Lotus applications using a password—*flag* indicating authorization for external users to access to the system as delegated by the sponsor. If the user's password is found in an access control list, then the user is granted access (col.3, lines 31-67, col.4, lines 59-col.5, lines 32, 42-67, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). In other words, the password indicates that the user system access is enabled to the external user as delegated by the sponsor.

Regarding independent claim 9, Broomhall discloses an internal sponsor using an administrative engine—a *directory manager that certifies a user--* for giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.3, lines 31-67, col.4, lines 59-col.5, lines 32, 42-67, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). The sponsor requests the external user's id, and password by inputting personal information, such as name, telephone number, etc. into a form, the external user's data as well —*requester specification data and proxy applicant specification data--*, the database, and database access level—*term of requesting said delegated application beforehand--*. Access control to the database, and application is granted based on whether an input id, and password are present in an access control list—*proxy applicant definition table*.

Moreover, Broomhall discloses an internal sponsor giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired by inputting personal information, such as name, telephone number, etc. into a form. The

Art Unit: 2178

external user accesses the database by entering requested password, and id (col.4, lines 59-col.5, lines 10, 48-67, col.7, lines 45-67, col.8, lines 10-67, fig.3, 5, and 11).

Additionally, Broomhall fails to explicitly disclose: *inspecting whether or not the current date coincides to said delegation term condition data*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have the user enter an expiration date associated with the sponsored external user, because Broomhall teaches the changing and resetting of an expired password (col.8, lines 34-67), which would provide the benefit of allowing external users secure access to a database or application have enabled the user to input the user id and password into a form, thus providing the benefit of securely accessing the database/ application only by those authorized to do so for a specified period of time.

Moreover, Broomhall discloses presenting a prompt to an external user for inputting the id, and password. If the user's id and password match those found in a in an access control list, then the user is granted access to the database or application (col.5, lines 49-67, and col.8, lines 47-67, fig. 5, 7). In other words if the id and password assigned by the sponsor to the external user match—*coincides with said form condition data*, where an ID, and password are needed to access the system -- those found in the control list, then based on this inspection or checking, the user is granted access to the system.

Furthermore, Broomhall fails to explicitly disclose: *a blank form collector accessing a first electronic form by said proxy applicant; enabling said first electronic form to be acquired if results of said inspections are acceptable*. However, Paradox teaches a database application allowing the definition of auxiliary passwords-- *a blank form collector accessing a first electronic form by said proxy applicant* using the auxiliary passwords-- which allow secondary

Art Unit: 2178

users to have different levels of control for entering data, such as inserting and deleting information, data entry, read only, etc. in tables—*forms*(pages 137-138, page 527, lines 11-page 528, line 16). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Broomhall, and Paradox to acquire said form, because this would provide the benefit of securely accessing the database application only by those authorized personnel, thereby, ensuring the integrity of the tables or forms stored in the system.

Claims 10-11 are directed towards a method equivalent to the steps found in claim 9, and therefore are similarly rejected.

Claim 12 is directed towards a program product stored on a storage medium for storing the steps found in claim 1, except for limitation of a current time coinciding with delegation term, which is not explicitly taught by Broomhall. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have the user enter an expiration time associated with the sponsored external user, because Broomhall teaches the changing and resetting of an expired password (col.8, lines 34-67), which would provide the benefit of allowing external users secure access to a database or application have enabled the user to input the user id and password into a form, thus providing the benefit of securely accessing the database/ application only by those authorized to do so for a specified period of time. Therefore, is similarly rejected.

Claims 13-14 are directed towards a program product stored on a storage medium for storing the steps found in claim 12, and therefore are similarly rejected.

Claims 16-18 are directed towards a program product stored on a storage medium for storing the steps found in claims 5-7, therefore are similarly rejected.

Claims 22-24 are directed towards a method equivalent to the steps found in claims 5-7, and therefore are similarly rejected.

5. Claims 4, 15, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Broomhall, in view of Paradox, and further in view of Atlas et al, hereinafter Atlas (Pat. # 5,848,413, 12/8/98, filed on 1/13/95).

Regarding claim 4, which depends on any of claims 1-3, Broomhall discloses an internal sponsor using an administrative engine for giving external users access to an internal database and Lotus applications for as long as a password for the external user(s) has not expired (col.3, lines 31-67, col.4, lines 59-col.5, lines 32, 42-67, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). The sponsor requests the external user's id, and password by inputting personal information, such as name, telephone number, etc. into a form. Broomhall fails to explicitly disclose: *filling personal data of said application requester in said acquired first electronic form automatically*. However, Atlas teaches automatically providing completions of form fields (col.2, lines 8-34, col.4, lines 1-37, and fig. 3-6). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined the teachings of Broomhall, Paradox, and Atlas,

Art Unit: 2178

Atlas teaches making text entry easier into a computer interface using autocomplete functions for automatically completing text entered into the interface (col. 1, lines 38-60, and col. 2, lines 1-37).

Claim 15 is directed towards a program product stored on a storage medium for storing the steps found in claim 4, therefore is similarly rejected.

Claim 21 is directed towards a method equivalent to the steps found in claim 4, and therefore is similarly rejected.

Allowable Subject Matter

6. Claims 8, 19, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

(11) Response to Argument

Appellants have proposed to resolve minor informalities in claim 19 upon resolution of this appeal (page 4, lines 1-4).

Regarding claim 1, the appellants note that Broomhall does not address delegating an application to a proxy (page 4, parag.4). The Examiner disagrees, because Broomhall discloses an internal sponsor, which gives external users—*proxy applicant*, which would apply to access database, and Lotus applications-- access to an internal database and Lotus applications for as

long as a password for the external user(s) has not expired (col.4, lines 59-col.5, line 32, col.7, lines 45-col.8, line 67, fig.3, 5, and 11). The sponsor requests the external user's id, and password—*form of requesting a delegated application--* by inputting personal information, such as name, telephone number, etc. into a form, the external user's data as well —*requester specification data and proxy applicant specification data--*, the database, and database access level—*term of requesting said delegated application beforehand--*.

In response to appellant's argument that the references fail to show certain features of appellant's invention, it is noted that the features upon which appellant relies (i.e., "identifying such a predetermined form as a conditional expression in which 'XXX' is set as the first three digits and a number of 22 or under is set in the lower two digits of the form ID. (Page 4, last paragraph." Page 5, parag.1) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The form condition data is not a specific three digit number, and a number 22 as recited in the claim. Therefore the Examiner is interpreting this language in a reasonable broad manner to be an id or password.

Regarding claims 6, 17, and 23, the appellants note a list of available electronic forms, which is decided according to an organization to which said requester belongs is not obvious in light of the prior art rejections (page 6, parag.1-3). The Examiner disagrees, because Broomhall teaches a sponsor permitting an external user to access a corporation's internal database (col.4,

Art Unit: 2178

lines 59-67). Paradox teaches displaying a list of forms (page 135, lines 1-10, fig. 6.1). Although Broomhall fails to explicitly teach that the forms are displayed according to the organization that the sponsor belongs to, it would have been obvious to display those forms of the company the sponsor works for, because this would provide the benefit of securely accessing the corporation's forms as found in the database servers, only by those authorized personnel, thereby, ensuring the integrity of sensitive information, such as the tables or forms stored in the system.

Regarding claims 7, 18, and 24, the appellants remarks that Broomhall's password does not teach that an application flag exists, indicating whether or not said delegated application is enabled (page 6, parag.4-page 7, parag.2). The Examiner disagrees, because the password as taught by Broomhall is the **id or flag** that tells the external user whether or not the corporate database application is enabled or could be accessed. In other words, the user would be informed by the system whether the attempts to access the application have been **enabled or succeeded**. A flag is an indicator that shows that certain conditions have been met. In this case, the password indicates that the database application is enabled for the external user's access.

Further, the Appellants indicate that Paradox does not teach delegating an application to a proxy, or a form condition data (page 7, parag.3-4). 35 USC statute does not require that every applied reference teach all the limitations, if this was the case there would be some unnecessary reference(s). The statute requires that the references be in an analogous art. Both Broomhall, and Paradox enable users to access databases. However, there are some features found in Paradox,

Art Unit: 2178

which are not present in Broomhall. As established above motivation have been given for combining these two references, as required by statute.

Appellants have invoked 35 USC 103(c), and indicate that Atlas only qualifies as prior art under 35 USC 102(e), and not as prior art under 35 USC 103(a), because both the instant invention, and Atlas, which was used in the rejection of claims 4, 15, and 21, were owned by the same assignee (page 8, parag.1). It is not clear why the invocation of 35 USC 103(c) was not made before the prosecution was closed. However, Appellants' attempt to exclude Atlas by just the exclusion under 35 U.S.C. § 103(c) will not be sufficient to overcome the prior art rejection, because Atlas was published on 12/8/98—102(a) date--, which was before the effective filing date of the instant application—10/18/99. According to 35 USC 103(c), a reference is disqualified only if the reference that is being excluded **only** qualifies as prior art under 35 **U.S.C. § 102(e), (f) or (g).** In this case the Atlas rejection is made under a 35 USC 102(a) date. Therefore, 35 USC 103(c) does not apply in this case.


In response to appellant's argument that Atlas is nonanalogous art, it has been held that a prior art reference must either be in the field of appellant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the appellant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the Appellants indicate that Atlas does not teach or suggest delegating an application to a proxy, or registering a form condition data (page 8, parag.2). 35 USC statute does not require that every applied reference teach all the

Art Unit: 2178

limitations, if this was the case there would be some unnecessary reference(s). The statute requires that the references be reasonably pertinent to the particular problem with which the Appellants were concerned. Both Broomhall, and Paradox enable users to access document found in databases. However, there are some features found in Paradox, which are not present in Broomhall. As established above motivation have been given for combining these two references, as required by statute.

Conclusion

For all of the reasons stated above the Examiner believes that the rejections should be sustained.


CESAR PAULA
PRIMARY EXAMINER
Respectfully submitted,

Cesar B. Paula

November 10, 2005


Heather Herndon

HH(conf.)

Stephen Hong

SH(conf.)


STEPHEN HONG
SUPERVISORY PATENT EXAMINER